

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

NATHAN P. MILLER,

Defendant.

Case No. 5:22-po-00228-CDB

[Citation #E1754127 CA/14]

ORDER DENYING PLAINTIFF'S MOTION AS
MOOT

(Doc. 4)

On November 17, 2022, a citation was filed charging Defendant Nathan P. Miller with a violation of the California Vehicle Code while on Edwards Air Force Base, California, pursuant to Title 18, United States Code, Section 13. (Doc. 1.) The citation gave Defendant the option of either paying the total collateral due of \$155.00 or appearing in court. (*Id.*)

On November 24, 2022, Defendant exercised his option to pay the total collateral due in lieu of appearing in court. (Doc. 3.) Pursuant to Rule 58(d)(1), Federal Rules of Criminal Procedure (Fed. R. Crim. P.), Local Rule 410, Eastern District of California (E.D. Cal.), and General Order No. 627, E.D. Cal. (dated Jan. 1, 2021), Defendant's payment of the total collateral due terminated the case.

On November 29, 2022, Plaintiff filed a motion to dismiss without prejudice, pursuant to Rule 48(a), Fed. R. Crim P., in the interests of justice. (Doc. 4.) However, because as set forth above the case already is closed, the motion is moot.

1 Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion to dismiss without prejudice, in
2 the interest of justice, is denied as moot.

3 IT IS SO ORDERED.

4 Dated: November 29, 2022


UNITED STATES MAGISTRATE JUDGE